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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Roy J. Weaver and Robert O. Crane
Serial Number 09/450,283
Filed: November 26, 1999
For: WATER AND FUEL CONDITIONER
AND TECHNIQUE FOR ELIMINATING SCALE
Art Unit: 1724
Examiner Peter A. Hruskoci

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on 3/7/01

3/7/01 Date
G. Turner Moller
Reg. No. 22,978
Signature

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Declaration

Assistant Commissioner for Patents
Washington, D. C. 20231

Dear Sir:

1. I, the undersigned, am Roy J. Weaver, one of the inventors in this application.
2. I have been in the water conditioning business since 1995 selling copper based water conditioning devices of the general type disclosed in this application.
3. It is well known, and has been well known long before the filing date of this application, among those who deal in potable water, that lead is a toxic contaminant of drinking water.

4. I set up a demonstration for G. Turner Moller, my attorney in this application, to show the effects of the alloy of this invention. The demonstration is disclosed in the above identified application on page 5, line 22 through page 6, line 8. A housing containing a core was connected to a faucet connected to a water line fed by the water system of the City of Corpus Christi, Texas. Water was run through the device and a dc voltmeter was used to measure the potential of water exiting from the housing. This voltmeter was of the digital type so that readings changed every few seconds and were clearly seen from the readout. After running one core for a few minutes, the water was turned off, the housing opened, the tested core removed and an untested core installed in the housing. This was repeated for all three reported cores.

5. The readings from the device having a pure copper core varied between 15-30 millivolts. The readings from the commercially available device described in the sentence bridging pages 5 and 6 of this application was 60-90 millivolts. The readings from the device of this invention was 100-150 millivolts.

6. The increased ability of the device of this invention to produce increased electrical potential in water passing over the core of this invention was unexpected and surprising. We had no idea at the outset that this would be the result.



7. I was well aware of the composition disclosed in Walker patent 4,715,325 because I had sold this composition for use in a fuel conditioning device. If I had been able to foresee that removing lead from the Walker composition, using it for a water treating device and thereby achieving the electrical potentials disclosed in paragraph 5, then I would have done this first. Instead, over the course of 1-2 years, I had at least twelve different no-lead compositions cast into suitable shapes for installation in water treating devices. None of the other compositions had satisfactory water treating, i.e. scale inhibiting, ability. I have spent over \$50,000 in third party services seeking to find a copper based, no-lead material that is effective to condition water. If it was obvious to modify a composition of which I was well aware, I don't believe I would have wasted so much money.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Roy J. Weaver

Roy J. Weaver

RJW

Date: 3-7-01